

**TOWN OF BENNETT, COLORADO
BOARD OF TRUSTEES
Regular Meeting
March 9, 2021**

1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, March 9, 2021 virtually via Zoom Link. Mayor Royce Pindell called the meeting to order at 7:00 p.m. The following persons were present upon the call of the roll:

Mayor: Royce Pindell

Trustees Present: Darwin Harrell
Whitney Oakley
Rich Pulliam
Denice Smith
Donna Sus
Larry Vittum

Staff Present: Trish Stiles, *Town Administrator*
Taeler Houlberg, *Assistant to the Town Administrator*
Alison Belcher, *Public Relations Coordinator*
Sara Aragon, *Community Development Coordinator*
Steve Hebert, *Planning and Economic Development Manager*
Daymon Johnson, *Director of Capital Projects*
Dan Giroux, *Town Engineer*
Melinda Culley, *Town Attorney*
Christina Hart, *Town Clerk*

Public Present: Kathy Smiley, Tom Richardson, Jenny Romano, Aaron McLean, Larry Gayeski,
Nick Graue, Bob Frachetti, Craig Romwell, Mike Talcott, David Stockman

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Royce Pindell.

3. APPROVAL OF AGENDA

TRUSTEE PULLIAM MOVED, MAYOR PRO TEM HARRELL SECONDED to approve the agenda as presented.
The voting was as follows:

YES: Oakley, Pindell, Pulliam, Smith, Sus, Vittum, Harrell

NO: None

Mayor Royce Pindell declared the motion carried by unanimous vote.

4. CONSENT AGENDA

TRUSTEE PULLIAM MOVED, MAYOR PRO TEM HARRELL SECONDED to approve the consent agenda as presented.

YES: Pindell, Pulliam, Smith, Sus, Vittum, Harrell, Oakley

NO: None

Mayor Royce Pindell declared the motion carried by unanimous vote.

A. Action: Approval of February 23, 2021 Regular Meeting Minutes.

B. Action: Approval of Well 6 Site Improvements, Phase 1

C. Action: Approval of Well 6 Site Improvements, Phase 2

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

There were no public comments.

5. REGULAR BUSINESS

A. Action/Discussion

1. Public Hearing

Case No. 21.01 - 300 Bennett Avenue Zoning

Ordinance No. 721-21 – An Ordinance Zoning Property Annexed to the Town of Bennett and Known as the 300 Bennett Avenue Annexation

Mayor Pindell called the matter of Case No. 21.01 – 300 Bennett Avenue Zoning to order. The public hearing was opened at 7:03 p.m.

Christina Hart, Town Clerk, stated that in accordance with Colorado State Statute, notice of the public hearing was properly posted and published in the Eastern Colorado News on February 5, 2021. Legal #2453.

Steve Hebert, Town Planning and Economic Development Manager, reported to the Trustees the purpose of the Public Hearing is the Zoning of 1.5 acres to R-3 – High Density Residential. Mr. Hebert also reported that Tom Richardson and David Stockman, DATO Investments, LLC, the owner's representatives, are present.

The Town Board of Trustees approved the annexation of the 1.5-acre parcel on June 23, 2020. During the annexation process, the applicant initially applied for C – Commercial zoning with the development of a self-storage facility in mind. The Planning and Zoning Commission recommended approval of the C – Commercial zone district; however, the Board of Trustees denied the request after considering concerns that some land uses in the C district might not be compatible with the surrounding residential neighborhoods. The applicants have revised their plans and now propose a townhome development, which is allowed under the R-3 zoning. This staff report addresses both the zoning and the sketch plan.

The applicants have requested R-3 zoning. The R-3 District is intended to provide for higher density multi-family residential development. The property is located at 300 Bennett Ave, immediately east of the Horizon Condominiums, which are also zoned R-3.

In the proposed R-3 zone district, the following land uses are Permitted Uses as “uses-by-right.” Uses by-right do not require further review and approval by the Board of Trustees.

1. Elementary and secondary education school
2. Religious institutions
3. Assisted living facility or nursing home
4. Group home for elderly, developmentally disabled or mentally ill persons
5. Home occupations
6. Manufactured homes
7. Multifamily dwelling
8. Rooming, lodging or boarding houses
9. Townhome dwelling
10. Public utilities, minor
11. Eligible telecommunications facilities request

There are several other land uses allowed as Conditional Uses requiring additional Board of Trustees approval, including but not limited to day care centers, parks, recreation centers, fire or police stations, and bed and breakfast establishments.

The applicant presented a sketch plan to the Planning and Zoning Commission on March 22. The sketch plan is intended to provide the subdivider with preliminary informal feedback from the Town staff and the Planning Commission. While the Board of Trustees does not review sketch plans, it is presented here to give the Board a preview of what is currently being contemplated for the property. The sketch plan includes a 20-lot townhome subdivision with an interior private drive. The townhomes will have front-loaded garages off the private drive, with rear yards backing up to Bennett Ave. on the north and the Bennett Crossing stormwater pond to the south.

All public services and utilities are available to the property including:

- Access – Bennett Avenue
- Water – Town of Bennett
- Sewer – Town of Bennett

- Stormwater – Town of Bennett
- Fire Protection – Bennett Watkins Fire Rescue
- Law Enforcement – Adams County Sheriff
- Electricity – IREA
- Natural Gas – Colorado Natural Gas
- Telecom – Eastern Slope Technologies

Notice of the Board of Trustees hearing has been posted on the property consistent with the municipal code. All property owners within 300 feet have also been notified by mail. During the Planning and Zoning Commission hearing, two property owners from the Brothers Four neighborhood to the north expressed concern about stormwater management and flooding. The Town Engineer indicated all stormwater generated by the development on the 300 Bennett Avenue property would be managed to prevent off-site flooding.

There are no objections to the proposed zoning. Most of the comments relate to the sketch plan and will be addressed with the future final plat application.

Staff finds the proposed zoning is consistent with the purpose of the Bennett Land Use Code, outlined in Section 16-1-50, including to:

- Maintain and enhance a quality residential environment in the Town
- Provide a diversity of housing types at various densities
- Promote logical extensions of and efficient use of the Town's infrastructure

Staff also finds the proposed rezoning is consistent with, or will promote, the goals and policies of the Town of Bennett 2016 Comprehensive Plan as required by Sections 16-1-90 and 16-2-360 of the Municipal Code, including the following:

To provide a diversity of housing types at various densities

Staff Finding: The R-3 zoning will allow the construction of higher density homes, adding to the mix of primarily single-family detached homes currently in Bennett.

Preferred Scenario

The Comprehensive Plan outlines a Preferred Scenario described on Page 9. The Preferred Scenario includes a series of planning tiers (Tier One through Tier Four). The Preferred Scenario envisions a healthy, sustainable community where residents can live, work, and play locally, setting Bennett and its proximity to the I-70 corridor apart from a conventional development pattern.

Staff Finding: The 300 Bennett Avenue property is within Tier One described in the Plan, being a part of the Stable Urban area, and development would be consistent with the vision of the Preferred Scenario.

Mixed Residential

The property lies within an area designated as Mixed Residential, which calls for a variety of housing types combined with non-residential secondary land uses complementary and supportive of the neighborhood.

APPLICANT PRESENTATION

Tom Richardson and David Stockman are business partners with DATO Investments, LLC. Mr. Richardson thanked the Board of Trustees and Staff for the opportunity to present their case to the Trustees. Mr. Richardson reported the product on Ash Street is similar to the proposed 300 Bennett Avenue townhomes. The configuration is more square than the Ash Street townhomes. The design has been modified to address potential issues with 300 Bennett Avenue. DATO Investments, LLC will continue to work with Town Staff on the modifications. Mr. Stockman reported to the Commission that the hearing is before them tonight is in regards to zoning not to approve a townhouse project. David Stockman also reported each townhome will have two spaces per unit in the driveway. The extra 30' Bennett property could provide additional parking. DATO Investments, LLC is working with Town Staff on this property. The Ash Street Townhomes lots drain into the alleyway drainage system. The drainage issues are working towards being resolved.

Based upon staff findings and the recommendation of the Planning and Zoning Commission, staff recommends the Board of Trustees approve Ordinance No. 721-21 to zone the subject property R-3 High Density Residential.

Trustee Comments

Trustee Oakley expressed her gratitude to the applicants bringing a new proposed zoning which is a better fit for the area.

Mayor Pro Tem Harrell asked if the proposed product will be similar to the Ash Street townhomes. Mr. Richardson explained the product will be similar with some variation due to the size of the property as well as the orientation of the area.

Trustee Vittum asked if any person(s) were living in the home currently on the 300 Bennett Avenue residence. Mr. Richardson stated the residence is vacant. DATO Investments owns the property in total.

Public Comments

There were no public comments presented.

Mayor Pindell closed the public hearing on the 300 Bennett Avenue zoning at 7:23 p.m.

Trustee Oakley stated she heard favorable comments of the proposed rezoning from residents of the Horizon Condominiums.

TRUSTEE OAKLEY MOVED, TRUSTEE PULLIAM SECONDED to approve Ordinance No. 721-21 – An Ordinance Zoning Property Annexed to the Town of Bennett and Known as the 300 Bennet Avenue Annexation. Voting was as follows:

YES: Pulliam, Smith, Sus, Vittum, Oakley, Pindell
NO: Harrell

Mayor Royce Pindell declared the motion passed 6 votes to 1.

2. Public Hearing

Case No. 20.19 – Bennett Crossing Filing No. 4 Final Plat

Ordinance No. 720-21 – An Ordinance Approving an Outline Development Plan and Rezoning for the Bennett Crossing Southwest Planned Development

Case No. 20.20 – Bennett Crossing Southwest Rezoning and Outline Development Plan

Resolution No. 866-21 – A Resolution Approving a Final Plat for Bennett Crossing, Filing No. 4

Case No. 20.21 – QuikTrip Final Development Plan

Resolution No. 867-21 – A Resolution Approving a Final Development Plan for the QuikTrip Store #4216

Mayor Pindell called the matter of Case No. 20.19 – Bennett Crossing Filing No. 4 Final Plat, Case No. 20.20 – Bennett Crossing Southwest Rezoning and Outline Development Plan, and Case No. 20.21 – QuikTrip Final Development Plan. The public hearing was opened at 7:28 p.m.

Christina Hart, Town Clerk, stated that in accordance with Colorado State Statute, notice of the public hearing was properly posted and published in the Eastern Colorado News on February 5, 2021. Legal #2455.

Steve Hebert, Town Planning and Economic Development Manager, reported to the Trustees the purpose of the Public Hearing Case No. 20.20 involves the rezoning of 4.845 acres from C-General Commercial to Planned Development (PD) and the adoption of a new Bennett Crossing Southwest Outline Development Plan (ODP). The new ODP will include the QuikTrip property and portion of the original Bennett Crossing ODP, for a total of 9.765 acres. The property is located at the northeast corner of the I-70 and CO Highway 79 interchange.

The former JaGee/Conoco property, now owned by QuikTrip, was platted as the JaGee Properties Commercial Development and is currently zoned C-General Commercial. The other properties in this application are currently zoned PD and are a part of the original Bennett Crossing ODP. The applicant proposes rezoning the C-zoned property to PD and combining all of the lots into a new Bennett Crossing Southwest ODP. Staff concurs the pending redevelopment will be more effective if the entire property is under the same zone district.

The new ODP, if approved, will allow for a variety of business commercial and highway commercial uses, consistent with the previously approved Bennett Crossing ODP. In addition to the 4.845 acres of C-General Commercial land, those portions of the original Bennett Crossing ODP combine for a total 9.765 acres in the new Bennett Crossing Southwest Outline Development Plan (ODP).

Water

Water service will be provided by the Town of Bennett.

Sanitary Sewer

Sanitary sewer service will be provided by the Town of Bennett.

Stormwater Management

Stormwater will be collected and conveyed as part of the Bennett Crossing stormwater plan.

Access and Traffic

Each proposed lot will have access to a public street, either directly or via an access easement. Lot 2, Block 1 will have access via CO Highway 79, Marketplace Drive and Cedar Street. Other lots will have access via Marketplace Drive or Cedar Street. Lot 3, Block 1, south of the proposed QuikTrip facility, will have access via CO Highway 79 and Cedar Street via a proposed access easement. The existing and proposed street network will have adequate capacity to accommodate commercial development in the subdivision.

Gas, Electricity and Telecommunications

Natural gas will be provided by Colorado Natural Gas, electricity by IREA and telecommunications by Eastern Slope Technologies (ESRTA). Appropriate easements for these providers will be provided on the final plat.

Staff finds the proposed zoning is consistent with the purpose of the Bennett Land Use Code, outlined in Section 16-1-50, including to:

- Support the development of Bennett as a model healthy community of interconnected employment and neighborhood centers;
- Promote logical extensions of and efficient use of the Town's infrastructure.

A proposed rezoning should be consistent with, or promote, the goals and policies of the Town of Bennett 2016 Comprehensive Plan as required by Sections 16-1-90 and 16-2-360 of the Municipal Code, including the following:

Preferred Scenario

The Comprehensive Plan outlines a Preferred Scenario. The Preferred Scenario includes a series of planning tiers (Tier One through Tier Four). The Preferred Scenario envisions a healthy, sustainable community where residents can live, work, and play locally, setting Bennett and its proximity to the I-70 corridor apart from a conventional development pattern.

Staff Finding: The QuikTrip property is within Tier One described in the Plan, being a part of the Stable Urban area, and development would be consistent with the vision of the Preferred Scenario.

Staff also finds that having a commercial development with two different underlying zone districts will be difficult to administer, cause confusion and may limit development options. Therefore, staff supports the rezoning.

Notice of the March 9, 2021 Board of Trustees meeting was published in the Eastern Colorado News, posted on the subject property and sent to all property owners within 300 feet of the property. No comments, other than those from the referral agencies, have been received to date.

On February 22, 2021, the Planning and Zoning Commission recommended approval of Case No. 20.20 to rezone the subject property to Planned Development (PD) and the accompanying Bennett Crossing Southwest Outline Development Plan (ODP).

Based upon the findings above and the Planning and Zoning Commission recommendation, staff recommends the Board of Trustees approve Ordinance No. 720-21 – Bennett Crossing Southwest Outline Development Plan, with the following conditions:

- Before recording the Outline Development Plan the applicant shall make minor modifications as directed by Town Staff, Engineer and Town Attorney

Case No. 20.19 involves the re-subdivision of six existing platted lots, with a total acreage of 12.02 acres, into four lots, known as Bennett Crossing Filing No. 4 Final Plat. The applicant proposes to build a QuikTrip convenience store and gas station on one of the newly configured parcels.

The property is located at the northeast corner of the I-70 and CO Highway 79 interchange.

The former JaGee/Conoco property, now owned by QuikTrip, was platted as the JaGee Properties Commercial Development and recorded on May 16, 2005. The other lots included in this application are currently owned by Gayeski Capital Equities, LLC, the master developer of Bennett Crossing.

The former JaGee property is zoned C-General Commercial and the remaining lots are zoned Planned Development (PD). The companion rezoning application, Case No. 20.20, proposes to zone all of the properties to PD under a new Bennett Crossing Southwest Outline Development Plan (ODP). The new ODP, if approved, will allow for a variety of business commercial and highway commercial uses, consistent with the previously approved Bennett Crossing ODP. Development on properties zoned PD are subject to a Final Development Plan (FDP) process.

Water

Water will be provided by the Town of Bennett.

Sanitary Sewer

Sanitary sewer will be provided by the Town of Bennett.

Stormwater Management

Stormwater will be collected and conveyed as part of the Bennett Crossing stormwater plan.

Access and Traffic

Each proposed lot will have access to a public street, either directly or via an access easement. Proposed Lot 2, Block 1 will have access via CO Highway 79, Marketplace Drive and Cedar Street. Other lots will have access via Marketplace Drive or Cedar Street. Lot 3, Block 1, south of the proposed QuikTrip facility will have access via CO Highway 79 and Cedar Street via a proposed access easement. The existing and proposed street network will have adequate capacity to accommodate commercial development in the subdivision.

Gas, Electricity and Telecommunications

Natural gas will be provided by Colorado Natural Gas, electricity by IREA and telecommunications by Eastern Slope Technologies (ESRTA). Appropriate easements for these providers are provided on the final plat.

Per Section 16-4-380 of the Bennett Municipal Code, the Town shall use the following criteria to evaluate the applicant's final plat application:

A. The final plat incorporates recommended changes, modifications and conditions attached to the sketch plan unless otherwise approved by the Planning Commission.

Staff Finding: Because all of the properties were previously platted, no sketch plan is required.

B. All applicable technical standards in accordance with this Chapter and adopted Town documents have been met.

1. To establish appropriate standards for subdivision design that will:
 - a. Encourage the development of sound, economical and stable neighborhoods and healthy living environments, in conformance with the goals and policies of the Comprehensive Plan.
 - b. Provide lots of adequate size, configuration and design for the purpose for which they are intended to be used.
 - c. Promote superior design and design flexibility.
 - d. Preserve the significant natural features and environmental quality of the Town.
 - e. Guide the physical development of the Town in ways that complement the Town's character and culture.
 - f. Promote a cohesive sense of community among new and current residents, precluding neighborhood design or restrictions that in any way isolate any neighborhood from the rest of the community.
 - g. Provide complete and accurate public land records.

Staff Finding: The proposed reconfiguration of the lots will accommodate new development that meets the standards of good subdivision design.

2. To establish standards for utilities and other public services that will:
 - a. Provide an efficient, adequate and economical supply of utilities and services to land proposed for development without adverse effects to property that is currently served.
 - b. Ensure that adequate stormwater drainage, sewage disposal, water supply and other utilities, services and improvements needed as a consequence of the subdivision of the land are provided.
 - c. Provide for the reasonable extension of utilities and services to other lands that may be developed in the future. d. Provide the equitable distribution of the cost of new and expanded public services needed to support new land development.

Staff Finding: The proposed lot reconfiguration and the Filing No. 4 Final Plat document will accommodate the extension of utilities and public services to serve future commercial development.

3. To ensure the provision of adequate and safe traffic circulation that will:

- a. Minimize traffic hazards through appropriate street design, providing safe and convenient vehicular and pedestrian traffic circulation systems.
- b. Provide adequate vehicular access to abutting properties.
- c. Provide streets of adequate capacity and appropriate design and function.

Staff Finding: All lots have access to a public street, either directly or by easement. Access will be via either CO Highway 79, Marketplace Drive or the future extension of Cedar Street. Each of these highways or street have the existing capacity to accommodate both vehicular and pedestrian traffic.

4. To ensure adequate public facilities that will:
 - a. Provide for the recreational, cultural, educational and other public facility needs of the community.
 - b. Facilitate effective law enforcement and fire protection.

Staff Finding: No public facilities are anticipated as part of this subdivision.

5. To contribute to the proper development of the community in accordance with the goals and policies of the Comprehensive Plan as it may be updated from time to time.

Staff Finding: The proposed lot reconfiguration will accommodate new retail development and further the Comprehensive Plan goal of “enhancing the sales tax and employment base of the Town by attracting and retaining commercial and industrial development.”

C. Compliance with Zoning Regulations

Staff Finding: All lots in Filing No. 4 meet the standards set forth in the previously approved Bennett Crossing Outline Development Plan and the proposed Bennett Crossing Southwest Outline Development Plan, which will serve as the governing zoning document.

On March 22, 2021, the Planning and Zoning Commission recommended approval of the Bennett Crossing Filing No. 4 Final Plat.

Staff finds the proposed final plat complies with the overall Subdivision Regulations in Chapter 16, Article IV of the Bennett Municipal Code. Staff also finds the plat has been processed according to Section 16-4-360 and meets the approval criteria in 16-4-380. Based upon these findings, and the recommendation of the Planning and Zoning Commission, staff recommends the Board of Trustees approve the Bennett Crossing Filing No. 4 Final Plat, with the following conditions:

Before recording the final plat, the applicant shall:

1. update plat notes related to easements and maintenance in a manner directed by the Town Engineer.
2. make other minor modifications as directed by Town Staff, Engineer and Town Attorney.

Case No. 20.21 is a proposed Final Development Plan (FDP) for a 7,318 square-foot QuikTrip convenience store and fueling station. The 5.435-acre parcel is located near the northeast corner of I-70 and CO Highway 79. The site plan shows ten fuel dispenser islands for automobiles and small trucks and seven fuel dispenser islands for large trucks. Unlike Love’s Travel Stop to the west, the proposed QuikTrip is not a traditional truck stop, in that there will not be separate restrooms, showers or a lounge for truckers, nor will overnight truck parking be allowed. The plan is to raze the site, removing the Conoco Station and FNB Bank building and all other surface improvements. Consideration of this FDP is contingent upon approval

of Case No. 20.19, a subdivision plat and Case No. 20.10, a rezoning and new Outline Development Plan for the QuikTrip lot and adjacent lots.

The following summarizes the proposed site improvements.

- Proposed Code or ODP Requirement Building Floor Area 7,318 Sq. Ft. Max. 50%
- Landscaped Area 56,651 Sq. Ft. (23.9%) Min. 20%
- Building Height 20 feet Max. 50 feet
- Parking Spaces 77 Min. 24
- Minimum Building Setbacks 160.7' Front, 97' Side, 81.2' Rear 20' Front, 10' Side, 15' Rear

Access and Parking

Vehicular access to the QuikTrip site will be via CO Highway 79 to the west, Marketplace Drive to the north and a future extension of Cedar Street to the east. At the time of this report, the applicant has proposed the southern driveway be a $\frac{3}{4}$ movement access with a right-in/right-out/left-in movement and the northern driveway be right-in/right-out only. The southern drive will accommodate all vehicles but is focused on large tractor-trailer trucks. The northern drive off CO Highway 79 will accommodate automobiles and small trucks. Lot 3, Block 1 of the Bennett Crossing Filing No. 4 to the south of the QuikTrip facility will have access via an access easement on Lot 2 (QuikTrip). CDOT will determine the ultimate access onto Highway 79 and the FDP will be updated accordingly before recording. The site plan shows adequate parking for all customers, including short-term parking for tractor-trailers on the east side of the property.

Site Landscape Plan

The landscape plan includes a combination of trees, shrubs, ornamental grasses, rock mulch and a native seed mix. See Sheets 22-27 of the FDP for more details. In an effort to promote responsible water conservation, Staff recommended against using any irrigated turf on-site and recommended fewer trees along the western and northern borders and the removal of all trees along the southern border. The applicant has agreed and the landscape plans will be updated before recording. The landscape rendering below shows the proposed landscaping. Again, some of the trees along the western, northern and southern borders will be removed. All irrigated sod areas have been removed and changed to rock mulch and plant materials. The landscape strip on the southern border will still have ornamental grasses and rock mulch.

Building Elevations and Architecture

The one-story building will have a combination of brick, granite-colored EIFS ("synthetic" stucco), metal and glass as the primary building materials. The maximum height of the building is 20 feet. All rooftop mechanical equipment will be screened.

Water

Water service will be provided by the Town of Bennett.

Sanitary Sewer

Sanitary sewer service will be provided by the Town of Bennett.

Stormwater Management

Stormwater will be collected and conveyed as part of the Bennett Crossing stormwater plan.

Access and Traffic

Access is via CO Highway 79, Marketplace Drive and Cedar Street

Fire and Rescue

Fire and Rescue

Bennett-Watkins Fire Rescue will provide service. The applicant should meet directly with BWFR directly to review specific site and building plans to assure conformance with International Fire Code standards.

Gas, Electricity and Telecommunications

Natural gas will be provided by Colorado Natural Gas, electricity by IREA and telecommunications by Eastern Slope Technologies (ESRTA).

The proposed convenience store and fueling station is consistent with the Guiding Principles, Vision Statement and Goals of the 2015 Comprehensive Plan. In particular, it is consistent with the principle of promoting a mix of land uses and enhancing the Town's employment base. It also supports the ability of QuikTrip to provide services and facilities to support existing and projected areas of population and growth.

The following is a summary of how the proposal complies with the Land Use and Development regulations in Chapter 16 of the Municipal Code. Staff analysis includes compliance with the recently proposed Bennett Crossing Southwest Outline Development Plan (ODP) and other provisions in the Code not explicitly addressed in the ODP.

1. Conformance with the Bennett Crossing Outline Development Plan:

- a. Permitted Uses: All of the proposed uses are allowed as Permitted Uses by Right.
- b. Building Height: The proposed building height of 20 feet is well below the maximum allowed height of 50 feet.
- c. Maximum Lot Coverage: The proposed lot coverage for buildings and parking is below the maximum of 80%.
- d. Floor Area Ratio (FAR): The proposed FAR of .03 is less than the maximum of .5
- e. Minimum Setbacks: The proposed front, side and rear building setbacks and parking lot setbacks all meet or exceed the minimums outlined in the ODP.
- f. Connectivity: Pedestrian connections to the store are provided by sidewalks along both CO Highway 79 and Marketplace Drive.

g. Building Orientation and Site Design:

- i. The main building is well-articulated on all four sides with attention to materials, entrances, window patterns and detailing. The majority of the proposed façade is comprised of red brick along with EFIS and the use of metal accents, providing visual interest to the building. Staff believes the proposed design, materials and colors are of high quality and compatible with future development in the area. All roof-top mechanical equipment will be screened.
- ii. The trash enclosure is to be faced with the same brick material used on the main building.

2. Parking Standards

The Town's Municipal Code includes off-street parking requirements for a variety of uses, including banks. The proposed number of parking spaces exceeds the Town's minimum parking requirement.

3. Landscape Standards

Staff supports the landscape plan as proposed, with the Staff's changes to reduce the number of trees along CO Highway 79 and Marketplace Drive property lines, and eliminate the trees in the landscaped island along the south property line.

4. Lighting Standards

The proposed lighting plan conforms with shielding, cutoff, illumination and height provisions of the Municipal Code as long as the fueling station canopy signs are full recessed into the canopy structure.

5. Sign Regulations

All signs, including wall signs, monument signs and pole signs, are subject to the sign regulations in the Bennett Municipal Code, Chapter 16, Article III. Final dimensions and colors will be determined at the time of sign permit. The existing pole sign at the far sound end of the former Conoco property is currently in conformance with the Bennett sign regulations. However, if it is considered an off-site sign by CDOT, it may need to be removed or relocated. The proposed FDP does not formally approve of its location, height or design.

The proposed site plan, building character and design, and landscape character meet the objectives of the Town's Development Design Guidelines relative to:

- Building location
- Parking
- Service areas
- Pedestrian access & circulation
- Enclosures & screening
- Fencing
- Site Lighting (subject to verification of canopy light design)
- Building orientation, mass & character
- Landscape character & design

Notice of the March 9, 2021 Board of Trustees hearing was published in the Eastern Colorado News, posted on the subject property and sent to all property owners within 300 feet of the property. No comments, other than those from the referral agencies, have been received to date.

Staff finds the proposed Final Development Plan:

1. is consistent with the Town of Bennett Comprehensive Plan;
2. complies with the provisions of Chapter 16 – Land Use and Development, of the Bennett Municipal Code;
3. is consistent with the proposed Bennett Crossing Southwest Outline Development Plan; and,
4. conforms to the Town of Bennett Development Design Guidelines.

Staff recommends the Board of Trustees approve the QuikTrip Store #4216 Final Development Plan, subject to the following conditions:

1. The applicant shall confer with the Bennett Fire Protection District and ensure the proposed development conforms to adopted (IFC) fire code standards and design expectations of both the Town of Bennett and the District.
2. Before recording the Final Development plan, the applicant shall make minor modifications directed by Town Staff, Attorney, and Engineer.

APPLICANT PRESENTATION

QuikTrip representative, Mike Talcott, thanked staff and the Board of Trustees for the privilege to present their application. Mr. Talcott provided a background of QuikTrip.

- 15 years on Fortunes' List of "100 Best Companies to Work for in America".
- All locations are owned and operated by QuikTrip, and still family owned
- Creates an average of 22 new jobs per store
- Has never laid off an employee in the history of the company
- Average Store Manager earns \$100,000 per year
- Average entry level Assistant Manager starting pay is \$50,000 per year
- QuikTrip contributes 5% percent of its profits to charitable organizations in the communities in which it operates
- QuikTrip is a National Safe Place location for endangered youth

QuikTrip has partnered with Safe Place. A national nonprofit organization that provides safety for troubled or threatened youth. QuikTrip provides a place for the at-risk youth to come in off the street, receive food and drink, and wait for a volunteer from a Safe Place agency partner to connect them with professional help or a place to stay until their situation is resolved. QuikTrip also provides grants to the local Safe Place agencies.

QuikTrip supports military families, employees, and customers. QuikTrip partners with the Folds of Honor.

QuikTrip provides the very best security features for its employees and customers. Every square inch of QuikTrip will be under surveillance.

The QuikTrip store provides a variety of products for their customers:

- Full made to order kitchen
- Healthy selections; made fresh daily
- Grocery selection
- Ice vending machine
- On-tap drink selections
- Coffee bar

Public Comments

There were no public comments presented.

Mayor Pindell closed the public hearing on Case No. 20.19 – Bennett Crossing Filing No. 4 Final Plat, Case No. 20.20 – Bennett Crossing Southwest Rezoning and Outline Development Plan, and Case No. 20.21 – QuikTrip Final Development Plan at 8:40 p.m.

TRUSTEE PULLIAM MOVED, TRUSTEE SMITH SECONDED to approve Ordinance No. 720-21 – An Ordinance Approving an Outline Development Plan and Rezoning for the Bennett Crossing Southwest Planned Development. Voting was as follows:

YES: Smith, Sus, Vittum, Harrell, Oakley, Pindell, Pulliam

NO: None

Mayor Royce Pindell declared the motion passed unanimously.

TRUSTEE PULLIAM MOVED, MAYOR PRO TEM HARRELL SECONDED to approve Resolution No. 866-21 – A Resolution Approving a Final Plat for Bennett Crossing, Filing No. 4. Voting was as follows:

YES: Sus, Vittum, Harrell, Oakley, Pindell, Pulliam, Smith

NO: None

Mayor Royce Pindell declared the motion passed unanimously.

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM SECONDED to approve Resolution No. 867-21 – A Resolution Approving a Final Development Plan for the QuikTrip Store #4216. Voting was as follows:

YES: Vittum, Harrell, Oakley, Pindell, Pulliam, Smith, Sus

NO: None

Mayor Royce Pindell declared the motion passed unanimously.

6. TOWN STAFF REPORTS

Town Administrator

Trish Stiles, Town Administrator provided the following report;

- Arapahoe County is in the process of reauthorizing the Open Space Sales Tax. The Arapahoe County Commissioners may visit the Bennett Board of Trustees to discuss the advantages of the Open Space Sales Tax. The sales tax will sunset in 2023 unless it is reauthorized.
- Westminster is hosting Colorado Municipal League (CML) September 22 – 24, 2021.
- Met with Robin Purdy to discuss the Bennett School Districts planning process as it relates to future school sites
- Discussions will continue regarding the IGA between the Town of Bennett and Bennett School District 29j.
- Shout out to Trustee Vittum; Ms. Stiles and Trustee Vittum attended two sub-regional forums for both Adams County and Arapahoe County. Trustee Vittum was very instrumental in making a case for Bennett and the Town's transportation needs. Thank you Trustee Vittum.
- The Town received a \$500,000 DOLA grant for the water tank.
- Public Works is preparing for the upcoming predicted snowstorm.
- Ms. Stiles will be enjoying some off for spring break on March 11, March 15, March 16 and March 18th. She will be in Town Hall on Wednesday March 17th. Ms. Summers will be available.
- The Town of Bennett is currently in the yellow of the COVID-19 dial. Remote work is still strongly encouraged.

7. TRUSTEE COMMENTS AND COMMITTEE REPORTS

Larry Vittum

Trustee Vittum reported on the following;

- Adams County elected Trustee Vittum Vice-Chairman of the Transportation Forum.

Darvin Harrell

Mayor Pro Tem Harrell reported on the following;

- How long before all of Town Staff will be back in person at Town Hall?
- When will the Bennett Community Center re-open? Ms. Stiles reported community services are still available i.e.: Food Bank and vaccine clinic. There is not a way to predict when the Community Center will re-open to the public.

Royce Pindell

Mayor Pindell reported on the following;

- 1,000,081 single vaccinations have been distributed to Coloradans.
- Many people are going into businesses without masks.


8. ADJOURNMENT

TRUSTEE PULLIAM MOVED, MAYOR PRO TEM HARRELL SECONDED to adjourn the meeting. The meeting was adjourned at 9:08 p.m. Voting was as follows:

YES: Harrell, Oakley, Pindell, Pulliam, Smith, Sus, Vittum

NO: None

The Mayor declared the motion carried by unanimous vote.

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Royce D. Pindell, Mayor

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Christina Hart, Town Clerk